

STATE OF SOUTH CAROLINA  
BEFORE THE PUBLIC SERVICE COMMISSION  
DOCKET NO. 2011-10-E

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In the Matter of:	)	
	)	
Duke Energy Carolinas, LLC's	)	PETITION TO INTERVENE
Integrated Resource Plan (IRP)	)	
	)	
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	)	
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The South Carolina Coastal Conservation League (“CCL”), Southern Alliance for Clean Energy (“SACE”), and Upstate Forever (collectively, “Petitioners”), through counsel, hereby petition the South Carolina Public Service Commission (“Commission”), pursuant to R.103-825 of the Commission’s rules, to intervene in the above-captioned docket. In support of this petition, Petitioners state as follows:

1. On September 1, 2011, Duke Energy Carolinas, LLC (“Duke”) filed its 2011 Integrated Resource Plan (“IRP”), which was entered in the above-captioned docket.

2. On September 23, 2011, Commission Staff filed a Notice of Request for Allowable Ex Parte Briefing, scheduling an ex parte briefing on Duke’s 2011 IRP for November 29, 2011. On October 4, 2011, Commission Staff filed a second Notice of Request for Allowable Ex Parte Briefing, rescheduling the ex parte briefing on Duke’s IRP for December 14, 2011.

3. CCL is a nonprofit corporation organized under the laws of the State of South Carolina. The principal address of CCL is P.O. Box 1765, Charleston, South Carolina 29402. As an advocate for conservation and energy efficiency, CCL supports development of energy policy that is in the public interest of South Carolinians. CCL has members in South Carolina who receive electricity service from Duke and who would be subject to the impacts of Duke's integrated resource planning, which influences decision-making about supply- and demand-side resources utilized and impacts the cost of electricity.

4. SACE is a nonprofit organization whose mission is to promote responsible energy choices that create global warming solutions and ensure clean, safe and healthy communities throughout the Southeast. The principal address of SACE is P.O. Box 1842, Knoxville, Tennessee 37901. SACE also has offices in Florida, Georgia, North Carolina and South Carolina. SACE and its members have an interest in promoting greater reliance on clean, low-cost energy, and have an interest in Duke's IRP. SACE has members in South Carolina who receive electricity service from Duke and who would be subject to the impacts of Duke's integrated resource planning, including resource selection and the cost of electricity.

5. Upstate Forever is a non-profit, membership-based organization existing under the laws of the State of South Carolina. The principal address of Upstate Forever is 507 Pettigru Street, Greenville, South Carolina 29601. Upstate Forever promotes sensible growth and the protection of special places in the Upstate region of South Carolina, including Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg, and Union counties. The Upstate region is included

within Duke's service territory. Upstate Forever has members that receive electrical service from Duke, and are subject to the impacts of the utility's resource planning process and subsequent decision-making.

6. Duke is an investor-owned utility that is regulated by the Commission. S.C. Code Ann. § 58-3-140 (2010). The Commission regulates and supervises Duke as to, among other things, its rates, services, facilities, and practices. *Id.*; *see also* R. 103-810 of S.C. Code of Regs. (citing S. C. Code Ann., §§ 58-27-10 *et. seq.*). Duke's rates, services, facilities, and practices are relevant to, and in part a function of, the development of its resource plan.

7. Duke must prepare IRPs, submit them to the State Energy Office every three years and update them on an annual basis, and file the plans with the Commission pursuant to the requirements established by the Commission. *See* S.C. Code Ann. §§ 58-37-10 and 58-37-40 (2010) and Commission Order Nos. 1998-502 and 2010-124.

8. According to its IRP, Duke "utilizes an integrated resource planning approach to ensure that it can reliably and economically meet the electric energy needs of its customers well into the future." Duke IRP at 6. The provision of reliable and economic energy and all decisions related thereto impacts Petitioners and their members. A utility's IRP and the resource mix contained therein, impacts the cost of electricity to customers. Moreover, the manner in which Duke conducts its integrated resource planning, and whether it does so in a fiscally- and environmentally-responsible manner, is directly relevant to the purpose of Petitioners' organizations. Accordingly, Petitioners and their members have a direct interest in this proceeding.

9. Petitioners are in the process of developing their position in this docket.

Along with this Petition, Petitioners are filing a motion for leave to file comments out of time. Petitioners propose to provide their position on the IRP through written comments and an ex parte briefing before the Commission, which Petitioners currently are working to schedule.

10. Petitioners are represented by the following counsel in this proceeding:

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WHEREFORE, Petitioners pray that they be allowed to intervene in this matter.

Respectfully submitted this 17th day of October, 2011.

s/ J. Blanding Holman, IV  
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*Attorney for Petitioners*

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## CERTIFICATE OF SERVICE

This 17th Day of October 2011